**THE HON'BLE SMT. JUSTICE T.MEENA KUMARI**

**&**

**THE HON'BLE SRI JUSTICE G. CHANDRAIAH**

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**WRIT PETITION NO.26929 OF 1998**

**Dated: 10.10.2007**

Between:
R. VENKATA SUBBAIAH and others.

**..... PETITIONERS**

AND

The Government of Andhra Pradesh rep. By
Its Secretary to Government,
Irrigation and CAD Department, Secretariat Buildings,
Hyderabad and others.

…

**RESPONDENTS**

HON'BLE SMT. JUSTICE T.MEENA KUMARI
AND
THE HON'BLE SRI JUSTICE G. CHANDRAIAH

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**WRIT PETITION No.26929 of 1998**

**ORDER:** (Per Hon'ble Smt. Justice T. Meena Kumari)

Petitioners filed the present writ petition seeking for a Writ of Mandamus declaring the condition, namely, only "if there is work load", imposed by the Tribunal in the order dated 18.3.1998 in O.A. No. 1255 of 1998 as unjust and unreasonable and direct the respondents to continue the petitioners in the service in the posts in which they are working till their services are regularized and pass such other orders.

The facts in brief are that the petitioners herein were working as NMR/contingent employees with the respondents for a number of years. When their services were not regularized by the respondents, they filed the aforementioned O.A. before the A.P. Administrative Tribunal seeking regularization of their services as per G.O. Ms. No. 212, Finance and planning, dated 22.4.1994. The Tribunal, by the order impugned in this writ petition, disposed of the O.A. with a direction to the petitioners to make a representation to the authorities giving their service particulars and showing their eligibility for regularization. On such representation being filed, the respondents were directed to examine the case of the petitioners and to pass appropriate orders. Aggrieved by the said order,

the petitioners filed the present writ petition.

There is no dispute about the fact that the petitioners have been working with the respondents as NMRs/contingent employees. There is also no dispute about the fact that their services have not been regularized by the respondents. In such circumstances, they filed O.A. No. 1255 of 1998 before the Tribunal seeking directions to regularize their services. The Tribunal, taking into consideration the facts and circumstances of the case, by the order impugned in this writ petition, directed the petitioners to make appropriate representation to the competent authority within a period of two weeks from the date of receipt of the said order giving their service particulars and eligibility for seeking such regularization. On such representation being filed by the petitioners, the respondents were directed to examine whether the applicants were working with the respondents and whether they were concerned and satisfied the requirements laid down under G.O. Ms. No.212, Finance and Planning Department, dated 22.4.1994 and G.O. (P) No.330, dated 24.9.1994 and taking into consideration the orders that were issued by the Government in that regard from time to time and pass appropriate orders within a period of four months as per law. A further direction was issued to continue the petitioners on the same terms and conditions, if they were continued as on the date of passing of the order and if there was workload. The Tribunal passed a very reasonable order.

In the circumstances, we do not find any illegality or irregularity in the impugned order of the Tribunal warranting interference. However,

liberty is reserved to the petitioners to make appropriate representation to the respondents, if they are continuing as on today. On such representation being filed, the respondents shall consider the same and pass appropriate orders.

The writ petition is accordingly disposed of. No costs.

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T. MEENA KUMARI,J

DATE: 10th October, 2007

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G. CHANDRAIAH,J

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